

MAR 06 2000

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANAROBERT D. SHERKELL, CLERK
BY *[Signature]* DEPUTY**JOYCE C. ROBERTS AS ADMINISTRATRIX
ON BEHALF OF THE ESTATE OF UNDRAY
CARTER, AND LATASHA MILLS ON BEHALF
OF HER MINOR CHILD, LA'QUARSHAY MILLS****NUMBER: CV00-0371***
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***SECTION: S**

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PLAINTIFFS

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VERSUS*
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***CIVIL RIGHTS UNDER
42 USC 1983 AND 1988****SHREVEPORT POLICE DEPARTMENT THROUGH
THE CITY OF SHREVEPORT, OFFICER ROBERT
RIVET, CHIEF STEVE PRACTOR, EMERGENCY
MEDICAL SERVICES OF SHREVEPORT, AND
UNKNOWN EMS DRIVER/OPERATORS, JOHN
DOE AND RICHARD ROE****JUDGE: WALTER***
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MAGISTRATE: PAYNE*DEFENDANTS***
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FIRST SUPPLEMENTAL AND AMENDING COMPLAINT

NOW INTO COURT, through undersigned counsel, comes petitioners, Joyce C. Robert, et al, who wish to supplement and amend their original complaint, as follows:

1.

By supplementing and amending the Caption to read as follows:

**"JOYCE C. ROBERT AS ADMINISTRATRIX ON BEHALF OF THE ESTATE OF
UNDRAY CARTER, LATASHA MILLS ON BEHALF OF HER MINOR CHILD,
LA'QUARSHAY MILLS AND NICOLE MOTON ON BEHALF OF HER MINOR CHILD,
KEARRA S. MOTION"**

(2)

2.

By amending Paragraph 2 a). To read as follows:

“a). Petitioner, Joyce C. Robert, Administratrix on behalf of the **Estate of Undray Carter**, is a person of the full age of majority and a resident of the Parish of Caddo, City of Shreveport, State of Louisiana.”

3.

By amending Paragraph 2 b). to read as follows:

“b). Petitioner, **LaTasha Mills**, on behalf of her minor child, **La'Quarshay Mills**, is a person of the age of majority and a resident in the Parish of Caddo, City of Shreveport, State of Louisiana, bringing this action on behalf of the minor daughter of Undray Carter (hereinafter, decedent), as the minor child’s natural mother and legal guardian.”

4.

By adding additional plaintiffs to the Complaint under Paragraph 2 as follows:

II. PARTY PLAINTIFFS

“c). Petitioner, **Nicole Moton**, on behalf of her minor child, **Kearra S. Moton**, is a person of the age of majority and a resident in the Parish of Caddo, City of Shreveport, State of Louisiana, bringing this action on behalf of the minor daughter of Undray Carter (hereinafter, decedent), as the minor child’s natural mother and legal guardian.”

5.

By adding additional defendants to the Complaint, under III, as follows:

"6 a). Defendant, **XYZ Insurance Company** based upon information and belief is doing business in the Parish of Caddo, State of Louisiana, and at all times pertinent, herein, was the liability carrier for the acts of liability asserted against defendants, **Shreveport Police Department through the City of Shreveport, Officer Robert Rivet, Chief Steve Practor, Emergency Medical Services of Shreveport and Unknown EMS Drivers/Operators, John Doe and Richard Roe.**

6.

By supplementing and amending paragraph 42 to read as follows:

"42. At all times pertinent, herein, Undray Carter was survived by two (2) minor daughters, La'Quarshay Mills and Kearra S. Moton."

7.

By supplementing and amending Paragraph 43, relative to Damages, as follows:

"43. As a result of the actions of the defendants, as described above, damages have been incurred and are being asserted, in accordance with La. C.C. Articles 2315.1(A) and 2315.2 (A), as follows:

- a. **Undray Carter** suffered severe physical, mental and emotional distress, physical pain and suffering, consciously, during the realization that he was about to be shot and subsequent to being shot by Rivet, prior to his death, in the amount of **SIX MILLION (\$6,000,000) DOLLARS**, due to this incident.
- b. **La'Quarshay Mills** sustained loss of love, affection, and support in the amount of **ONE MILLION (\$1,000,000) DOLLARS**, due to the death of her father, Undray Carter.

- c. **Kearra S. Moton** sustained the loss of love, affection and support in the amount of **ONE MILLION (\$1,000,000) DOLLARS**, due to the death of her father, Undray Carter.
- d. Punitive damages are sought against defendants, in the amount of **FIFTY MILLION (\$50,000,000) DOLLARS**.
- e. Miscellaneous cost for the medicals, funeral and cost of litigation is also being sought in an estimated amount of **THIRTY THOUSAND (\$30,000.00) DOLLARS.”**

8.

By supplementing and amending the Prayer For Relief as follows:

“WHEREFORE, plaintiffs, Joyce C. Robert as Administratrix on behalf of the Estate of Undray Carter, Latasha Mills on behalf of her minor child, La’Quarshay Mills and Nicole Moton on behalf of her minor child, Kearra S. Moton, pray that this complaint be filed and that defendants, Shreveport Police Department through the City of Shreveport, Officer Robert Rivet, Chief Steve Practor, Emergency Medical Services of Shreveport and Unknown EMS Drivers/Operators, John Doe, Richard Roe and XYZ Insurance Company, be served with a copy of same and be duly summoned to appear and answer same, and that after all legal delays and due proceedings had, there be judgment, herein, rendered with interest thereon from date of judicial demand until paid, in favor of plaintiffs, Joyce C. Robert as Administratrix on behalf of the Estate of Undray Carter, Latasha Mills on behalf of her minor child, La’Quarshay Mills and Nicole Moton on behalf of her minor child, Kearra S. Moton, and against all defendants, Shreveport Police Department through the City of Shreveport, Officer Robert Rivet, Chief Steve Practor, Emergency Medical Services of Shreveport and Unknown EMS

Drivers/Operators, John Doe, Richard Roe and XYZ Insurance Company, individually, severally, jointly, and in solido as follows:

1. Compensatory damages in the amount of \$8,030,000, and punitive damages in the amount of \$50,000,000, as prayed for herein;
2. Reasonable attorneys fees and all costs of these proceedings and legal interest; and
3. All other relief that this Honorable Court deems just and equitable."

9.

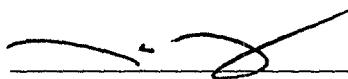
Petitioners, hereby, adopt and reiterate all paragraphs and pleadings of their original Complaint, filed on 2/28/2000, as if copied in extenso.

WHEREFORE, petitioners, Joyce C. Robert as Administratrix on behalf of the Estate of Undray Carter, Latasha Mills on behalf of her minor child, La'Quarshay Mills and Nicole Moton on behalf of her minor child, Kearra S. Moton, pray that their First Supplemental and Amending Petition be filed, that defendants be served with a copy of same and be duly summoned to appear and answer same, and that after all legal delays and due proceedings had, there be judgment, rendered with interest thereon from date of judicial demand, until paid in favor of plaintiffs, Joyce C. Robert as Administratrix on behalf of the Estate of Undray Carter, Latasha Mills on behalf of her minor child, La'Quarshay Mills and Nicole Moton on behalf of her minor child, Kearra S. Moton, and against all defendants, Shreveport Police Department through the City of Shreveport, Officer Robert Rivet, Chief Steve Practor, Emergency Medical

Services of Shreveport and Unknown EMS Drivers/Operators, John Doe, Richard Roe and XYZ Insurance Company, individually, jointly, severally and in solido, as follows:

1. Compensatory damages in the amount of \$8,030,000, and punitive damages in the amount of \$50,000,000, as prayed for herein;
2. Reasonable attorneys fees and all costs of these proceedings and legal interest; and
3. All other relief that this Honorable Court deems just and equitable.

Respectfully submitted,



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